

## Summary of Proposed Ordinance Relating to Zoning, Site Alteration and Critical Areas

This summary applies to the proposed Critical Areas Ordinance dated December 10, 2002, and fulfills the state Growth Management Act and King County Code 20.18.100 requirement for a “plain language” summary.

Some of these changes were included in proposed ordinances that were transmitted to the King County Council but not adopted. These items are noted using the following abbreviations:

SAO: The proposed amendments to the Sensitive Areas Ordinance, King County Code (K.C.C.) chapter 21A.24 pending at council (Proposed Ordinance 1999-0353).

SALT: The proposed Site Alteration Code pending at council (Proposed Ordinance 2000-0525). This is a proposed update to the Clearing and Grading Code.

### **New Chapter, “Development Standards - Waste Materials Processing Operations”**

**Section 1** -- Administrative section to create a new chapter in K.C.C. Title 21A.

**Section 2** -- Purpose. (*new section*). Sets forth standards to minimize the impacts of processing operations upon surrounding properties by:

- ensuring adequate review of operating aspects of waste materials processing sites to minimize impacts; and
- requiring periodic review of operations to ensure compliance with the most current standards. [SALT 135]

**Section 3** -- Exemptions. (*new section*) This chapter applies only to processing operations. [SALT 136]

**Section 4** -- Clearing and grading permits required. (*new section*) Processing operations shall only occur under a valid clearing and grading permit that shall apply the requirements of this chapter in addition to the other requirements of K.C.C. Title 21A. [SALT 137]

**Section 5** -- Preapplication community meetings. (*new section*) Requires that when a new processing operations site or establishment is proposed or expanded, the applicant shall hold and document a community meeting prior to submittal of an application consistent with the community meetings requirements of the code section relating to mineral extraction. [SALT 138]

**Section 6** -- Nonconforming waste materials processing operations. (*new section*) Provides that to the extent feasible, nonconforming processing operations shall be brought into conformance with the operating conditions and performance standards of K.C.C. Title 21A during permit renewals. The conformance schedule shall be developed during the first periodic review of the operation, and incorporated into the permit conditions. [SALT 139]

**Section 7 -- Periodic review.** *(new section)* Processing operations are subject to review of development and operating standards at 5-year intervals consistent with the periodic review requirements of the mineral extraction section. [SALT 140]

**Section 8 -- Site design standards.** *(new section)* Unless otherwise provided for in Section 6, processing operations shall comply with the site design standards relating to mineral processing. [SALT 141]

**Section 9 -- Operating standards.** *(new section)* Processing operations shall comply with the operating standards relating to mineral processing. Failure to meet these requirements shall require modifications to operations, procedures or equipment, which may in turn require a permit modification. [SALT 142]

**Section 10 -- Reclamation.** *(new section)* Processing sites must maintain a valid clearing and grading permit until site reclamation is complete consistent with the reclamation requirements relating to mineral processing, unless required to have an approved reclamation plan under RCW chapter 78.44. [SALT 143]

**Section 11 -- Mitigation and monitoring.** *(new section)* Unless otherwise provided, the applicant shall mitigate adverse impacts resulting from processing operations and monitor to demonstrate compliance with this chapter. [SALT 144]

**Section 12 -- Financial guarantees.** *(new section)* Financial guarantees shall be required consistent with K.C.C. Title 27A. [SALT 145]